



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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07/770,414 10/03/91 NILSSEN

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DINH, S EXAMINER

25M1/0113

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ART UNIT	PAPER NUMBER
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2511

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DATE MAILED: 01/13/94

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

This application has been examined  Responsive to communication filed on 10/20/93  This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), \_\_\_\_\_ days from the date of this letter.  
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

**Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:**

1.  Notice of References Cited by Examiner, PTO-892. /  
2.  Notice re Patent Drawing, PTO-948.  
3.  Notice of Art Gited by Applicant, PTO-1449.  
4.  Notice of Informal Patent Application, Form PTO-152.  
5.  Information on How to Effect Drawing Changes, PTO-1474.  
6.  \_\_\_\_\_

**Part II SUMMARY OF ACTION**

1.  Claims 1 - 21 are pending in the application.

Of the above, claims 15-18, 21 are withdrawn from consideration.

2.  Claims \_\_\_\_\_ have been cancelled.

3.  Claims \_\_\_\_\_ are allowed.

4.  Claims 1 - 14, 19 - 20 are rejected.

5.  Claims \_\_\_\_\_ are objected to.

6.  Claims \_\_\_\_\_ are subject to restriction or election requirement.

7.  This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8.  Formal drawings are required in response to this Office action.

9.  The corrected or substitute drawings have been received on \_\_\_\_\_. Under 37 C.F.R. 1.84 these drawings are  acceptable.  not acceptable (see explanation or Notice re Patent Drawing, PTO-948).

10.  The proposed additional or substitute sheet(s) of drawings, filed on \_\_\_\_\_ has (have) been  approved by the examiner.  disapproved by the examiner (see explanation).

11.  The proposed drawing correction, filed on \_\_\_\_\_, has been  approved.  disapproved (see explanation).

12.  Acknowledgment is made of the claim for priority under U.S.C. 119. The certified copy has:  been received  not been received  
 been filed in parent application, serial no. \_\_\_\_\_; filed on \_\_\_\_\_.

13.  Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14.  Other

**EXAMINER'S ACTION**

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The Amendment B filed 10/15/93 has been entered.

The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Claims 1-14 and 19-20 are rejected under 35 U.S.C. § 103 as being unpatentable over Moerkens in view of Smith.

Figure 1 of Moerkens shows a power supply for a gas discharge lamp having a source for providing AC voltage (1 and 2), or gas discharge lamp (7), a capacitor means (4) and a lamp starting and operating means (5,6) being operative, prior to lamp ignition, to cause a lamp starting voltage to exist between the lamp terminal. Also, the starting voltage is the sum of AC and DC voltage and only the AC flowing through the lamp after the lamp ignition.

The difference between claims 1-4 and Moerkens is that Moerkens lack a high frequency inverter so as to provide a high

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frequency AC output voltage and the use of a disconnectably connecting means between the lamp terminal and the first and second source terminal. It is noted that the use of disconnectably connecting means for disconnecting or connecting a lamp from a terminal is conventional and well known in the art.

Smith teaches a gaseous lamp electronic ballast circuit having a high frequency inverter for providing a high frequency AC output voltage. Note that the frequency of the AC voltage in Smith circuit is higher than about 10 kHz.

Accordingly, it would have been obvious to one of ordinary in the art to modify Moerkens by using a high frequency inverter for providing a high frequency AC output voltage so as to improve the operation of the discharge lamp as evidenced by Smith.

Further, it would have been obvious to use a disconnectably connecting means between a lamp at an output terminal for disconnecting or connecting the lamp from output terminals since the use of such connecting means is well known technique.

The Applicant's argument is not persuasive in view of new ground of rejection. It is also noted that Applicant's arguments are not directed to the issues raised in the ground of rejection.

Applicant's amendment necessitated the new grounds of rejection. Accordingly, THIS ACTION IS MADE FINAL. See M.P.E.P. § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

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A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

Any inquiry concerning this communication should be directed to Son Dinh at telephone number (703) 308-4120.

  
EUGENE R. LaROCHE  
SUPERVISORY PATENT EXAMINER  
GROUP 2500

Dinh/tj 4/1  
January 12, 1994